

NEW JERSEY MEADOWLANDS COMMISSION
AGENDA

DATE: November 28, 2006
TIME: 10:00 a.m.
PLACE: Lyndhurst, New Jersey
RE: MONTHLY MEETING

1. Pledge of Allegiance
2. Sunshine Law Statement
3. Roll Call
4. REVIEW OF MINUTES - October 13, 2006 Pg. 1
5. SPECIAL PRESENTATIONS:
 - GIS -North Arlington and North Bergen Laptops
 - Meadowlands Employment Opportunity Center
6. SCIENCE CENTER/OBSERVATORY

Resolution No. 06-93 Consideration of a Resolution Authorizing
The Executive Director To Enter Into a
Contract for the Construction of a Science
Center and Observatory. Pg. 7
7. FLOOD CONTROL

Resolution No. 06-94 Consideration of a Resolution Authorizing
The Executive Director To Enter Into a
Memorandum of Agreement with the
New Jersey Department of Transportation
Concerning Stormwater Improvements
Along Route 17 from Union Avenue in
East Rutherford to Highland Cross in
Rutherford. Pg. 9

NEW JERSEY MEADOWLANDS COMMISSION
AGENDA

MONTHLY MEETING

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8. AUDITS

Resolution No. 06-95	Consideration of a Resolution Accepting Audits for D.E.P. Closure Accounts.	Pg. 12
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9. PAYMENT IN LIEU
OF TAX AGREEMENT

Resolution No. 06-96	Consideration of a Resolution Authorizing The Executive Director To Enter Into a PILOT Agreement with the Borough of Carlstadt.	Pg. 14
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10. CODE OF ETHICS

Resolution No. 06-97	Consideration of a Resolution To Adopt a Supplemental Code of Ethics.	Pg. 16
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11. SOLID WASTE

Resolution No. 06-98	Consideration of a Resolution Updating The NJMC Solid Waste Plan.	Pg. 19
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12. MEADOWLANDS ENVIRONMENTAL
RESEARCH INSTITUTE

Resolution No. 06-99	Consideration of a Resolution Authorizing The Executive Director to Enter Into a Memorandum of Understanding with Rutgers University To Provide Equipment Expertise for the Near-Road Air Quality Study.	Pg. 22
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NEW JERSEY MEADOWLANDS COMMISSION
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MONTHLY MEETING

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13. HOUSING

Resolution No. 06-100 Consideration of a Resolution Authorizing a Partnership with the Borough of Carlstadt in Furtherance of Satisfying the Borough's Affordable Housing Obligation Pg. 24

14. SECURITY

Resolution No. 06-101 Consideration of a Resolution Authorizing The Executive Director To Enter into an Agreement for the NJMC Office Complex, Environment Center, Observatory Building and Parks. Pg. 27

15. REPORTS

- A. Commissioners
- B. Executive Director
- C. Directors
- D. HMMC Executive Director

16. NEW BUSINESS

17. PUBLIC PARTICIPATION

18. CLOSED SESSION

- A. Adopt Resolution No. 06-102 to hold Closed Session. Pg. 30
- B. Adjournment to Closed Session. The Commission Reserves the Right to Reconvene into Public Session, if necessary, to take Action on Closed Session Items.

PLEASE CONTACT THE NJMC OFFICE (201-460-1700) PRIOR TO MEETING IF SPECIAL REQUIREMENTS ARE NEEDED UNDER ADA

NEW JERSEY MEADOWLANDS COMMISSION

DATE: October 13, 2006
TIME: 9:00 a.m.
PLACE: Lyndhurst, NJ
RE: MONTHLY MEETING MINUTES

COMMISSIONERS PRESENT: Eleanore Nissley, Acting Chairman
James Anzevino
Michael Gonnelli
Leonard R. Kaiser
Arleen Walther

STAFF PRESENT: Robert R. Ceberio, Executive Director
Irfan Bora, Director of Finance & Management/
Chief Financial Officer
Thomas Marturano, Director of Natural Resources
Ileana Kafrouni, Director of Land Use Management
Francisco Artigas, Director of MERI
Christine A. Sanz, Chief Counsel
Christine Piatek, Deputy Attorney General
James Carey, Assistant Counsel to the Governor
Fred J. Dressel, HMMC
Lynn Johnson, Executive Assistant

1. Pledge of Allegiance
2. Executive Director Ceberio read the Notice of Meeting required under the Sunshine Law.
3. Roll Call
4. REVIEW OF MINUTES

Minutes of the August 8, 2006 meeting was moved by Commissioner Kaiser, seconded by Commissioner Anzevino and unanimously carried.

5. SPECIAL PRESENTATION

- Master Plan of the River Barge Park in Carlstadt - Mr. Ceberio introduced Katy Weidel, NJMC Senior Landscape Architect /Supervisor of Park Planning. Ms. Weidel gave an overview of the Master Plan for the old Barge Club property located in Carlstadt.

6. PUBLIC PARTICIPATION ON RESOLUTIONS

- George Cascino and John Markovich of Benmark spoke on Resolution 06-77.
- Mark Renna of Evergreen spoke on Resolution 06-84.
- Margaret Schak representing the Rutherford Taxpayers Association spoke on Resolution 06-88 and 06-83.

Resolution 06-68 concerning a request for interpretation for property located at 600 Penhorn Ave in Secaucus was tabled.

7. CONSENT AGENDA

Resolution No. 06-72 - Resolution issuing a decision on the variance application submitted as part of File No. 06-233 Newark Pike/Loading Doors - Site Improvement - Block 286, Lot 45C, Kearny, NJ.

Resolution No. 06-73 - Resolution issuing a decision on the variance application submitted as part of File No. 06-300 Mack/Ashley Furniture - Sign Variance - Block 158, Lot 4, Secaucus, NJ.

Resolution No. 06-74 - Resolution issuing a decision on the variance application submitted as part of File No. 06-139 K-Mart/NJ Storage LLC - Vehicle Storage Variance - Block 453F, Lot 1, North Bergen, NJ.

Motion to adopt these resolutions was made by Commissioner Kaiser, seconded by Commissioner Anzevino and unanimously carried.

8. GREEN BUILDING

Resolution No. 06-75 - Resolution adopting new rules for encouraging sustainable development through the implementation of Green Building Rules.

Motion to adopt the resolution was made by Commissioner Gonnelli, seconded by Commissioner Nissley and unanimously carried.

9. PUBLIC IMPROVEMENTS

Resolution No. 06-76 - Resolution authorizing the improvements of 83rd Street, Township of North Bergen -NJMC File #SP545.

Motion to adopt the resolution was made by Commissioner Anzevino, seconded by Commissioner Kaiser and carried with Commissioner Walther abstaining.

10. INTERPRETATION

Resolution No. 06-77 - Resolution on a Use Interpretation for 600 Penhorn Avenue - Block 46, Lot 3.01, Secaucus, NJ

Motion to adopt the resolution was made by Commissioner Nissley, seconded by Commissioner Walther and carried with Commissioner Gonnelli abstaining.

11. FLOOD CONTROL

Resolution 06-78 - Resolution re-appropriating funding for the final design and permitting of tide gate repairs in Carlstadt, NJ.

Motion to adopt the resolution was made by Commissioner Kaiser, seconded by Commissioner Gonnelli and unanimously carried.

12. MEADOWLANDS ENVIRONMENTAL RESEARCH INSTITUTE

Resolution 06-79 - Resolution authorizing the Executive Director to accept an EPA Grant to conduct a Near-Road Air Quality Study.

Motion to adopt the resolution was made by Commissioner Walther, seconded by Commissioner Anzevino and unanimously carried.

Resolution 06-80 - Resolution authorizing the Executive Director to enter into an agreement with New Jersey Institute of Technology to provide statistical data analysis services.

Motion to adopt the resolution was made by Commissioner Gonnelli, seconded by Commissioner Walther and unanimously carried.

13. MARSH DISCOVERY TRAIL

Resolution 06-81 - Resolution authorizing the Executive Director to enter into a contract for Marsh Discovery Trail Improvements.

Motion to adopt the resolution was made by Commissioner Kaiser, seconded by Commissioner Gonnelli and unanimously carried.

14. REDEVELOPMENT

Resolution 06-82 - Resolution to adopt the Amended Belleville Turnpike Redevelopment Plan.

Motion to adopt the resolution was made by Commissioner Anzevino, seconded by Commissioner Walther and unanimously carried.

15. MUNICIPAL ASSISTANCE PROGRAM

Resolution 06-83 - Resolution to adopt the Amended Belleville Turnpike Redevelopment Plan.

Motion to adopt the resolution was made by Commissioner Anzevino, seconded by Commissioner Walther and unanimously carried.

16. MEADOWLANDS CONSERVATION TRUST

Resolution 06-84 - Resolution authorizing a \$37,500 contribution to the Meadowlands Conservation Trust for the balance of calendar year 2006.

Motion to adopt the resolution was made by Commissioner Walther, seconded by Commissioner Nissley and carried with Commissioner Gonnelli abstaining.

17. HVAC SYSTEMS MAINTENANCE AND SERVICE

Resolution 06-85 - Resolution authorizing the Executive Director to enter into a contract for HVAC Systems maintenance and service.

Motion to adopt the resolution was made by Commissioner Gonnelli, seconded by Commissioner Kaiser and unanimously carried.

18. PURCHASING AND PROCUREMENT

Resolution 06-86 - Resolution authorizing the Executive Director to establish a formalized purchasing and procurement procedures for the New Jersey Meadowlands Commission.

Motion to adopt the resolution was made by Commissioner Nissley, seconded by Commissioner Anzevino and unanimously carried.

19. SHARED SERVICES

Resolution 06-88 - Resolution authorizing the Executive Director to allocate up to \$1 million dollars for municipal shared services and work with the Department of Community Affairs to conduct a study and develop an action plan to increase the sharing of services and equipment between the Meadowlands Municipalities and School Districts.

Motion to adopt the resolution was made by Commissioner Anzevino, seconded by Commissioner Nissley and unanimously carried.

20. UNIFORM CODE OF ETHICS

Resolution 06-89 - Resolution to adopt a Uniform Code of Ethics.

Motion to adopt the resolution was made by Commissioner Walther, seconded by Commissioner Kaiser and unanimously carried.

21. LEGAL

Resolution 06-90 - Resolution authorizing the Executive Director engage McManimon and Scotland, LLC for the purpose of performing legal work.

Motion to adopt the resolution was made by Commissioner Nissley, seconded by Commissioner Gonnelli and unanimously carried.

Resolution 06-91 - Resolution authorizing the payment of legal bills relevant to wetland and open space acquisition.

Motion to adopt the resolution was made by Commissioner Anzevino, seconded by Commissioner Walther and unanimously carried.

22. REPORTS

Executive Director reported that the NJMC Annual Report is available on CD.

Mayor Dressel reported that he is looking forward to a productive approach to saving money with shared services.

Mayor Dressel reported that the HMMC voted unanimously on the Belleville Turnpike Redevelopment Plan.

23. PUBLIC PARTICIPATION

No public participation

24. CLOSED SESSION

The following issues were taken into consideration:

- Legal
 - Riverview/Tomu
 - NYS&W
 - Pesce
- Land Acquisition

Motion to enter into closed session was made by Commissioner Kaiser, seconded by Commissioner Gonnelli and unanimously carried.

Meeting adjourned.

ROBERT R. CEBERIO, SECRETARY

**RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR
TO ENTER INTO A CONTRACT FOR THE CONSTRUCTION OF
AN OBSERVATORY AND 10,000 S.F CLASSROOM BUILDING**

WHEREAS, the New Jersey Meadowlands Commission is committed to environmental science education; and

WHEREAS, the NJMC seeks to expand its science and education programs and facilities; and

WHEREAS, plans and specifications for the new facility were prepared by Fredric Rosen, Architect, and the NJMC staff and publicly bid, with seven (7) bids received on November 17, 2006; and

WHEREAS, Benard Associates of Wayne, NJ, was the lowest responsible bidder, with a bid in the amount of \$5,898,000; and

WHEREAS, staff review of the bid indicates that the bid is reasonable and proper, as outlined in the attached memorandum and;

WHEREAS, There is a possibility that unanticipated additional lengths of wood piling may be required to reach the desired support for the building, a contingency of approximately five (5) percent be added to the bid price, bringing the total contract price to \$6,200,000.

NOW, THEREFORE, BE IT RESOLVED by the New Jersey Meadowlands Commission that the Executive Director is hereby authorized to enter into a contract with Benard Associates for construction at a cost of \$6,200,000.

The foregoing resolution was adopted by Commission vote.

Susan Bass Levin
Chairman

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Meadowlands Commission at its meeting of November 28, 2006.

Robert R. Ceberio
Secretary

Memorandum

New Jersey Meadowlands Commission

To: NJMC Commissioners and Robert R. Ceberio, Executive Director

From: Thomas Marturano Date: November 28, 2006

Subject: NJMC Observatory and Classroom Building, Contract SP-429

On November 17, 2006, bids were received and opened for the above-referenced contract. This project is comprised of providing all plant, labor, equipment, materials, tools, and services necessary to construct a 10,000± square foot science, technology and observatory building consisting of an observatory with a six-meter retractable dome and isolated column for telescope mounting, three classrooms, a wet laboratory, a classroom/laboratory, three administrative offices, a space for mechanical equipment, storage area, toilet rooms and lobby.

Through its design and construction the NJMC's goal and intent is to achieve LEED/Green Building Council, Gold Certification, or better for this building.

Also included is the installation of all site work, utilities, drainage facilities, etc. associated with the building.

During the bid period, a total of 15 prospective bidders purchased the contract documents. Seven (7) bids were received and are listed as follows from lowest to highest:

Benard Associates-	\$5,898,000.
Avicorp, LLC-	\$5,938,800
Jeral Construction Services-	\$5,995,000
Walter H. Poppe-	\$6,155,000
H & S Construction Services-	\$6,889,323
John O'Hara Company-	\$6,987,178
Austin Helle, Inc.-	\$6,994,960.

As one can see from the above list the three lowest bidders are separated by only \$97,000. This close spread gives us a level of confidence in the low bid.

A review of the bids packages indicates that they were complete and in order.

It should be noted that because there is the possibility that unanticipated additional lengths of wood piling may be required to reach the desired support for the building, a contingency of approximately five (5) percent has been added to the bid price. The additional contingency brings the total contract price to \$6,200,000.

Therefore, we are submitting for your consideration and approval a resolution authorizing the Executive Director to enter into a contract with Benard Associates for construction at a cost of \$6,200,000.

**RESOLUTION AUTHORIZING
A MEMORANDUM OF AGREEMENT WITH THE
NEW JERSEY DEPARTMENT OF TRANSPORTATION
FOR ROUTE 17 DRAINAGE IMPROVEMENTS**

WHEREAS, The Hackensack Meadowlands Floodplain Management Plan was adopted by Resolution No. 05-106 on October 26, 2005; and

WHEREAS, the Plan ranked the mitigation of flooding on Route 17 in Rutherford as an "extreme" priority; and

WHEREAS, the NJMC has begun the final design of improvements to the drainage ditch system and tide gates downstream of Route 17; and

WHEREAS, the above improvements will not adequately remedy the severe flooding problem on Route 17 without additional improvements to the Route 17 stormwater collection system; and

WHEREAS, the New Jersey Department of Transportation ("NJDOT") has agreed to construct stormwater improvements submitted by the NJMC in preliminary design format; and

WHEREAS, said improvements must be received by the NJDOT for review no later than April 1, 2004; and

WHEREAS, the NJMC must enter into a Memorandum of Agreement with the NJDOT in order to move forward on the design and implementation of stormwater improvements.

NOW, THEREFORE BE IT RESOLVED, that the New Jersey Meadowlands Commission authorizes the Executive Director to enter into Memorandum of Agreement with the New Jersey Department of Transportation for the purposes of coordinating the design of stormwater improvements along Route 17, from Union Avenue in East Rutherford to Highland Cross in Rutherford.

The foregoing was adopted by Commission vote.

Susan Bass Levin
Chairman

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Meadowlands Commission at their meeting of November 28, 2006.

Robert R. Ceberio
Secretary

Resolution No. 06-94

Memorandum

New Jersey Meadowlands Commission

To: NJMC Commissioners and Robert R. Ceberio, Executive Director

From: Ileana Kafrouni Date: November 28, 2006

Subject: Memorandum of Agreement with NJDOT for Route 17 Drainage Improvements

The Hackensack Meadowlands Floodplain Management Plan, adopted by the Commission per Resolution No. 05-106, identified the mitigation of flooding on Route 17 in Rutherford as an "extreme priority". Route 17, local parking lots, and local roadways flood regularly during small storm events and spring high tide events. As such, the NJMC has hired a consultant to complete the design and permitting of the restoration of the downstream tide gates and drainage ditches. These restored systems shall be able to pass the 25-year storm and keep flooding on Route 17 and local roadways to less than 6 inches during the storm once the Route 17 drainage system is upgraded.

The NJMC has had discussions with the New Jersey Department of Transportation ("NJDOT") over cooperating on the design and construction of the necessary improvements to the Route 17 drainage system. The NJDOT has agreed to construct improvements recommended by the NJMC as long as such improvements are submitted to the NJDOT in preliminary design format for review by April 1, 2007.

At this time, the NJMC staff is requesting that the Commission authorize the Executive Director to enter into a Memorandum of Agreement with the New Jersey Department of Transportation for the purposes of coordinating the design of stormwater improvements along Route 17, from Union Avenue in East Rutherford to Highland Cross in Rutherford.

**ACCEPTANCE OF AUDITS OF LANDFILL
CLOSURE FUNDS**

BE IT RESOLVED that the Reports of Audits prepared by Ferraioli, Wielkotz, Cerullo & Cuva, for the New Jersey Meadowlands Commission's Solid Waste Baler Facility and Kingsland Park Landfill dated September 30, 2006 are hereby accepted.

The foregoing Resolution was adopted by Commission vote.

Susan Bass Levin
Chairman

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Meadowlands Commission at their meeting of November 28, 2006.

Robert R. Ceberio
Secretary

Resolution No. 06-95

Memorandum

New Jersey Meadowlands Commission

To: NJMC Commissioners and Robert R. Ceberio, Executive Director

From: Irfan A. Bora and E. H. Bulmer Date: November 28, 2006

Subject: ADOPTION OF DEPT. OF ENVIRONMENTAL PROTECTION ESCROW AUDITS

We are pleased to submit the following annual audits of the NJMC/DEP escrow accounts dated September 30, 2006, prepared by Ferraioli, Wielkotz, Cerullo & Cuva, for your review and acceptance:

1. NJMC Solid Waste Baler Facility
2. Kingsland Park Landfill (KPLF - Post Closure)

We are pleased to report that the Commission has received an unqualified (clean) opinion on each of the escrow audits. As part of the DEP's requirement, copies of the audit reports have been forwarded to the Department for its review and acceptance.

We would like to compliment the accounting staff for their work on these escrow accounts.

If you have any questions, please do not hesitate to call us.

attachment

**RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO
AN AGREEMENT WITH THE BOROUGH OF CARLSTADT REGARDING
IN LIEU OF TAX PAYMENTS**

WHEREAS, by Deed dated October 12, 2005 and recorded at the Bergen County Register's office, Leonard LaVerghetta and Leonard M. LaVerghetta, Jr. deeded Block 136, Lots 8, 9 and 12 in the Borough of Carlstadt, to the New Jersey Meadowlands Commission for the sum of \$2,830,141.00; and

WHEREAS, N.J.S.A. 13:17-38 requires the NJMC to enter into Agreements with municipalities where the NJMC acquires ownership of property; and

WHEREAS, pursuant to Resolution 2006-181 adopted by the Mayor and Council of the Borough of Carlstadt on September 7, 2006, the Mayor was authorized to execute this agreement; and

WHEREAS, an Agreement, which is consistent with NJMC's statutory obligation, has been executed by the Borough of Carlstadt.

NOW, THEREFORE, BE IT RESOLVED, by the New Jersey Meadowlands Commission, that the Executive Director is hereby authorized to execute this Agreement.

The foregoing was adopted by Commission vote.

Susan Bass Levin
Chairman

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Meadowlands Commission at their meeting of November 28, 2006.

Robert R. Ceberio
Secretary

Resolution No. 06-96

Memorandum

New Jersey Meadowlands Commission

To: NJMC Commissioners and Robert R. Ceberio, Executive Director

From: Irfan A. Bora Date: November 28, 2006

Subject: PILOT Agreement regarding Block 136, Lots 8, 9, 12 in Carlstadt

In September 2005, the Commission acquired property identified as Block 136, Lots 8, 9, and 12 in the Borough of Carlstadt from Leonard LaVerghetta and Leonard M. LaVerghetta, Jr. for the sum of \$2,830,141.

As per N.J.S.A. 13:17-38, the NJMC is required to enter into Agreements with municipalities where the NJMC acquires ownership of property. The Commission has proposed an In Lieu of Tax Payment Agreement with the Borough (a copy of which is attached) and pursuant to Resolution 2006-181 adopted by the Mayor and Council of the Borough of Carlstadt, the Mayor was authorized to execute this agreement.

A copy of the PILOT agreement, along with a resolution authorizing the Executive Director to enter into this agreement, is attached.

Attachment

**RESOLUTION TO ADOPT A
SUPPLEMENTAL CODE OF ETHICS**

WHEREAS, the New Jersey Meadowlands Commission has adopted the State's Uniform Code of Ethics pursuant to N.J.S.A. 52:13D-23 as the primary code of ethics governing and guiding the conduct of officers and employees and Special State officers and employees; and

WHEREAS, a Supplemental Code of Ethics has been developed to comport with limitations iterated in N.J. Statute § 13:17-1, et seq. which established the New Jersey Meadowlands Commission;

WHEREAS, this Supplemental Code of Ethics has been approved by the New Jersey Attorney General Office and the New Jersey Ethics Commission:

NOW, THEREFORE, BE IT RESOLVED that the New Jersey Meadowlands Commission adopt the attached Supplemental Code of Ethics effective immediately.

The foregoing Resolution was adopted by Commission vote.

Susan Bass Levin
Chairman

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Meadowlands Commission at their meeting of November 28, 2006.

Robert R. Ceberio
Secretary

Resolution No. 06-97

Memorandum

New Jersey Meadowlands Commission

To: NJMC Commissioners and Robert R. Ceberio, Executive Director

From: Beverly J. Schmidt Date: November 28, 2006

Subject: Resolution to Adopt a Supplemental Code of Ethics

On October 13, 2006 the Board of Commissioners of the New Jersey Meadowlands Commission adopted the State's Uniform Code of Ethics (pursuant to N.J.S.A. 52:13D-23) as the primary code of ethics governing and guiding the conduct of our officers and employees and Special State officers and employees.

A Supplemental Code of Ethics has also been created for this agency to complement the Uniform Code of Ethics. The Supplement mirrors the limitations iterated in the New Jersey Meadowlands Commission's enabling legislation (i.e., N.J. Statute § 13:17-1, et seq).

This Supplemental Code of Ethics has been approved by the New Jersey Ethics Commission (on October 18, 2006) and the New Jersey Attorney General's Office (on September 26, 2006).

New Jersey Meadowlands Commission

Code of Ethics

The New Jersey Meadowlands Commission ("Commission") was created pursuant to New Jersey Statute §13:17-1 et seq. The Uniform Ethics Code shall be the primary code of ethics for the Commission's members and employees. In accordance with the New Jersey Conflicts of Interest Law N.J.S.A. 52:13D-23(a)(1), the Commission adopts this supplement to the Uniform Ethics Code to govern the conduct of the Commission's employees.

I. OUTSIDE ACTIVITIES AND BUSINESS INTERESTS

- (1) No member, officer, employee or agent of the commission shall be financially interested, either directly or indirectly, in any project or any part of a project area (other than a residence) or in any contract, sale, purchase, lease or transfer of real or personal property to which the commission is a party;
- (2) Any contract or agreement knowingly made in contravention of this section is voidable;
- (3) Any person who shall willfully violate any of the provisions of this section shall forfeit his office or employment and shall be guilty of a misdemeanor.

**RESOLUTION APPROVING AN UPDATE TO THE
NEW JERSEY MEADOWLANDS COMMISSION
SOLID WASTE MANAGEMENT PLAN**

WHEREAS, the New Jersey Meadowlands Commission's Solid Waste Management Plan was approved on July 31, 1980, with subsequent Plan updates approved on March 4, 1983 and October 9, 1985, and Plan amendments since that time; and

WHEREAS, on April 13, 2002, New Jersey Department of Environmental Protection Commissioner Bradley M. Campbell signed Administrative Order No. 2002-10, which required, among other things, that the Department revise, update and readopt the Statewide Solid Waste Plan; and

WHEREAS, the Statewide Plan was finalized in 2005, and this Update to the NJMC Plan is required pursuant to this State Plan; and

WHEREAS, as the twenty-second District, the NJMC is unique in that we are not responsible for several of the planning issues that are the county's responsibility including recycling; and

WHEREAS, the NJMC Plan is, therefore, limited to a discussion of our historical designation as a Solid Waste Management District, provides an inventory of solid waste facilities, and provides the framework for inclusion in the NJMC Plan; and

WHEREAS, legal notices were published in the Bergen Record as required by NJDEP regulations, and a public hearing was held at the Commission offices on October 25, 2006; and

WHEREAS, no written or oral comments were received relative to this application; and no members of the public or government representatives attended the hearing.

WHEREAS, the Solid Waste Division has reviewed the available information and recommends the adoption by resolution of the proposed NJMC Solid Waste Plan Update (see attached memorandum).

NOW, THEREFORE, BE IT RESOLVED that the Director of Solid Waste shall forward to the NJDEP all relevant information pursuant to the New Jersey Solid Waste Management Act and required procedures for Plan Amendments including this resolution and the attachments recommending certification of this Plan Update.

The foregoing resolution was adopted by Commission vote.

Susan Bass Levin
Chairman

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Meadowlands Commission at their meeting of November 28, 2006.

Robert R. Ceberio
Secretary

Resolution 06-98

Memorandum

New Jersey Meadowlands Commission

To: NJMC Commissioners and Robert R. Ceberio, Executive Director

From: Thomas R. Marturano Date: November 28, 2006

Subject: Solid Waste Management Plan Update

A public hearing was held on October 25, 2006 to hear parties interested in an Update to the NJMC Solid Waste Management Plan.

As the twenty-second District, the NJMC is unique in that we are not responsible for several of the planning issues that are the county's responsibility including recycling. The NJMC Plan, therefore, is limited to a discussion of the following:

- Our historical designation as a Solid Waste Management District beginning with our enabling legislation and then a solid waste timeline;
- Provides an inventory of solid waste facilities in the District including landfills, vegetative waste transfer and solid waste transfer facilities and Meadowlands District municipal recycling depots.
- Describes the process and information required for an applicant to be included in the NJMC Plan.

Legal notices were placed in the Bergen Record as required by DEP regulations. No written or oral comments were received relative to this proposed update. The public hearing was held on October 25, 2006, with no members of the public or government representatives attending the hearing.

Based on the review of the information available to the NJMC, and with no public comment, the NJMC Solid Waste Division recommends that this Solid Waste Plan Update be adopted by the New Jersey Meadowlands Commission and forwarded to the New Jersey Department of Environmental Protection for their review and certification.

**RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER
INTO AN AGREEMENT WITH RUTGERS UNIVERSITY - NEWARK TO
PROVIDE ADVANCED ATMOSPHERIC CHEMISTRY SERVICES**

WHEREAS, the NJMC was awarded an EPA Grant to collect air quality data near roads; and

WHEREAS, this two-year near-road Air Quality Study will commence in Fall of 2006; and

WHEREAS, this study will include specialized equipment and the participation of scientists specialized in atmospheric chemistry from Rutgers University; and

WHEREAS, under this proposed MOU, Rutgers University-Newark College of Arts and Sciences will provide the needed equipment and expertise to satisfy the demands of this EPA sponsored grant; and

WHEREAS, this project will be funded with a grant from USEPA (Agreement No. XA 97268501-0); and

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director is hereby authorized to enter into an agreement with Rutgers University-Newark College of Arts and Sciences to "Provide Advanced Atmospheric Chemistry Services" at a cost not to exceed \$ 241,034.

The foregoing was adopted by Commission vote.

Susan Bass Levin
Chairman

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Meadowlands Commission at their meeting of November 28, 2006.

Robert R. Ceberio
Secretary

Resolution No. 06-99

Memorandum

New Jersey Meadowlands Commission

To: NJMC Commissioners and Robert R. Ceberio, Executive Director

From: Francisco Artigas Date: November 28, 2006

Subject: Rutgers University Advanced Atmospheric Chemistry Services

MERI will be starting a two-year Near-Road Air Quality Study in the fall of 2006. The objectives are to measure airborne particulate matters and their associated pollutant levels (PAHs and metals) at different distances from the NJ Turnpike. This study will include specialized equipment and the participation of scientists specialized in atmospheric chemistry from Rutgers University. Under this proposed MOU, Rutgers University-Newark College of Arts and Sciences will provide the needed equipment and expertise to satisfy the demands of this EPA sponsored grant (Agreement No. XA 97268501-0) and at a cost not to exceed \$241,034.

**RESOLUTION AUTHORIZING A PARTNERSHIP WITH THE BOROUGH
OF CARLSTADT IN FURTHERANCE OF SATISFYING THE BOROUGH'S
AFFORDABLE HOUSING OBLIGATION**

WHEREAS, the New Jersey Meadowlands Commission (NJMC) adopted an affordable housing policy on November 24, 2003, which sets out policy goals to enhance the provision of affordable housing throughout the Meadowlands District; and

WHEREAS, the NJMC's affordable housing policy is reinforced by a strategy of the NJMC Master Plan to spur the production of affordable housing; and

WHEREAS, the NJMC has offered a program of technical and financial assistance to the District's constituent municipalities to prepare fair share housing plans and petition the New Jersey Council on Affordable Housing (COAH) for substantive certification; and

WHEREAS, the Borough of Carlstadt has requested the NJMC to establish a partnership for the purpose of addressing the Borough's affordable housing obligation;

NOW, THEREFORE, BE IT RESOLVED that the NJMC authorizes a collaboration with the Borough of Carlstadt in furtherance of satisfying the Borough's affordable housing obligation; and

BE IT FURTHER RESOLVED that the Executive Director is authorized to enter into a memorandum of understanding with the Borough of Carlstadt regarding the affordable housing collaboration; and

BE IT FURTHER RESOLVED that the NJMC authorizes staff to fulfill the purposes of the memorandum of understanding by assisting the Borough of Carlstadt with preparing a housing element and fair share plan, preparing other documentation necessary for the Borough to receive substantive certification from COAH, and locating suitable sites and securing financial and technical resources to address the Borough's fair share housing obligation.

The foregoing Resolution was adopted by Commission vote.

Susan Bass Levin
Chairman

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Meadowlands Commission at their meeting of November 28, 2006.

Robert R. Ceberio
Secretary

Resolution No. 06-100

Memorandum

New Jersey Meadowlands Commission

To: NJMC Commissioners and Robert R. Ceberio, Executive Director

From: Ileana Kafrouni Date: November 28, 2006

Subject: Affordable Housing Collaboration with the Borough of Carlstadt

Since November 2003, the New Jersey Meadowlands Commission (NJMC), in cooperation with the New Jersey Council on Affordable Housing (COAH), has supported the municipalities of the Meadowlands District in meeting their fair share housing obligations through a proactive housing policy.

The cornerstone of the NJMC's housing initiative has been the availability of technical and financial assistance for the municipalities to prepare housing elements and fair share plans for the purpose of petitioning COAH for substantive certification or seeking a judgment of compliance by Superior Court. Substantive certification is a determination by COAH approving a municipality's housing element and fair share plan in accordance with the provisions of the Fair Housing Act and COAH's rules.

The Borough of Carlstadt is requesting the NJMC to collaborate in addressing the Borough's affordable housing obligation. Specifically, the Borough requests the NJMC to assist the Borough with the preparation of a housing element and fair share plan, along with any ordinances, resolutions, and other documents necessary to receive substantive certification from COAH. Additionally, the Borough seeks assistance with locating sites suitable for the development of affordable housing and securing financial and technical resources to address its fair share housing obligation.

Staff recommends that the Commission authorize the Executive Director to enter into a memorandum of understanding with the Borough of Carlstadt that formalizes an affordable housing partnership to carry out these purposes. A resolution requesting the same is attached for your consideration.

**RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER
INTO AN AGREEMENT TO HIRE A SECURITY COMPANY FOR THE
NEW JERSEY MEADOWLANDS COMMISSION OFFICE COMPLEX,
ENVIRONMENT CENTER, OBSERVATORY BUILDING AND PARKS**

WHEREAS, the New Jersey Meadowlands Commission prepared Request for Qualifications (RFQ) to provide security at the office complex, environment center, observatory building and parks to ensure the safety of all staff, visitors, and school children; and

WHEREAS, Request for Qualifications were prepared in August 2006 and advertised in the Jersey Journal, Star-Ledger and Bergen Record; and

WHEREAS, nine (9) firms picked up the RFQ'S and of the nine (9) security firms seven (7) companies submitted proposals; and

WHEREAS, the Commission organized a team to evaluate all seven (7) companies. Each company had to achieve a score of seventy (70) or better to be allowed to move on to the next phase of the process. The companies were evaluated on their experience and qualification in the security field and on references also; and

WHEREAS, after evaluating the seven (7) security firms the team agreed that all seven (7) firms (Command Security, Cambridge Security, Bowles Corporate, Securitas, Labor Management, Internal Intelligence and DMS Systems) qualified and could move on to the next level of the process; and

WHEREAS, on October 4, 2006 all seven (7) security companies picked up Request for Proposals (RFP's) bid packages; and

WHEREAS, on October 11, 2006 the seven (7) securities attended a mandatory walk through conference of the New Jersey Meadowlands Commission complex; and

WHEREAS, on October 18, 2006 six (6) security firms submitted proposals and Bowles Corporate Services was the low bid, and the team is recommending the award of the contract to Bowles Corporate Services as the lowest responsive bidder at \$16.62 per hour.

NOW, THEREFORE, BE IT RESOLVED by the New Jersey Meadowlands Commission that the Executive Director is hereby authorized to enter into a first year contract with Bowles Corporate Services in the amount not to exceed \$281,392.00.

BE IT FURTHER RESOLVED that the Executive Director, at his discretion, is hereby authorized to exercise a second year option in amount not to exceed \$342,461.00, a third year option in an amount not to exceed \$348,096.00 and a fourth year option not to exceed \$350,273.00.

BE IT FURTHER RESOLVED that the Executive Director, at his discretion, may terminate the contract of Bowles Corporate Services for non-compliance and award the balance of the contract to the next lowest responsive bidder, should circumstances so warrant.

The foregoing resolution was adopted by Commission vote.

Susan Bass Levin
Chairman

I hereby certify the foregoing to be a true copy of the resolution adopted by the New Jersey Meadowlands Commission at it meeting of November 28, 2006.

Robert R. Ceberio
Secretary

Resolution No. 06-101

Memorandum

New Jersey Meadowlands Commission

To: NJMC Commissioners and Robert R. Ceberio, Executive Director

From: Irfan Bora and Ed Barkala Date: November 28, 2006

Subject: Security Contract for NJMC Office Complex, Environment Center, Observatory Building and Parks

In August 2006, the Commission advertised in the Jersey Journal, Bergen Record and Star Ledger a Request for Qualifications (RFQ) for security at the New Jersey Meadowlands Commission office complex, environment center, observatory building and parks. As a result, nine (9) firms picked up RFQ'S. Out of the nine companies that picked up the RFQ'S, seven (7) companies submitted proposals; Command Security, Cambridge Security, Bowles Corporate, Securitas, Labor Management, Internal Intelligence and DMS Systems.

The Commission organized a team to evaluate all seven (7) proposals. Each company had to achieve a score of seventy (70) or better. After evaluating all the proposals, the team agreed that the seven companies qualified and were allowed to proceed to the next level submitting a Request for Proposal (RFP). On October 4, 2006 all seven companies picked up a copy of the RFP and on October 11, 2006 all seven companies attended a mandatory walk through conference of the New Jersey Meadowlands Commission complex.

At the public bid opening on Wednesday October 18, 2006, six (6) firms submitted proposals; Command Security, Bowles Corporate, Cambridge Security, Labor Management, DMS Systems and Securitas. Bowles Corporate was the low bidder at \$16.62 per hour for the first and second year of the contract. The hourly rate for the third year was \$16.89, and the fourth year \$16.99 per year. Cambridge Security was the second lowest bidder at \$17.35 per hour for all four years.

We are recommending Bowles Corporate at \$16.62 per hour for a one-year contract not to exceed \$281,392.00. The Executive Director will have the option to extend the contract a second year in an amount not to exceed \$342,461 a third year option in an amount not to exceed \$348,096 and a fourth year option in an amount not to exceed \$350,273.

RESOLUTION: CLOSED SESSION

WHEREAS, the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the holding of closed session by public bodies in certain circumstances; and

WHEREAS, the New Jersey Meadowlands Commission is of the opinion that those circumstances presently exist.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That a closed session of the NJMC will be held to discuss the following:
 - Pesce
 - NYS&W
2. It is anticipated at this time that the above subject matter(s) will be made public upon completion of said matter(s).

This Resolution shall become effective immediately. The foregoing Resolution was adopted by Commission vote.

Susan Bass Levin
Chairman

I hereby certify the foregoing to be a true copy of the Resolution adopted by the New Jersey Meadowlands Commission at its meeting of November 28, 2006.

Robert R. Ceberio
Secretary

Resolution No. 06-102